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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/711,441	09/19/2004	David M. Farmolari	004900.00025

22907
 BANNER & WITCOFF
 1001 G STREET NW
 SUITE 1100
 WASHINGTON, DC 20001



CONFIRMATION NO. 5440

FORMALITIES LETTER



OC000000014176351

Date Mailed: 10/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/24/2004 LWONDIM1 00000117 190733 10711441

01 FC:1051 130.00 DA

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)
) BOX: MISSING PARTS
David M. Famolari)
)
Serial No. 10/711,441)
)
)
Filed: September 19, 2004)
) Atty. Dkt. No. 004900.00025
For: HARMONIZED ADAPTIVE)
 ARRAYS)

RESPONSE TO NOTICE TO FILE MISSING PARTS

MAIL STOP MISSING PARTS
U.S. Patent and Trademark Office
220 20th Street S.
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated October 25, 2004, Applicants submit herewith the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Sheet;
2. Copy of the Notice to File Missing Parts;
3. Executed Declaration for Patent Application.

The Commissioner is authorized to charge our Deposit Account No. 19-0733 the amount of \$130.00 as follows:

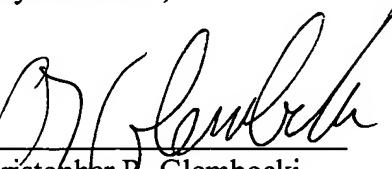
\$ 130.00 - surcharge for late filing of executed Declaration; and

David Famolari – U.S. Patent Application No. 10/711,441

If any additional fees are required, the Commissioner is authorized to charge our
Deposit Account No. 19-0733.

Respectfully submitted,

By:



Christopher R. Glembocki

Registration No. 38,800

BANNER & WITCOFF, LTD.
1001 G Street, N.W., 11th Floor
Washington, D.C. 20001
(202) 824-3000

Dated: November 23, 2004

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 170

Complete if Known	
Application Number	10/711,441
Filing Date	September 19, 2004
First Named Inventor	David M. Famolare
Examiner Name	Unassigned
Art Unit	2681
Attorney Docket No.	004900.00025

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:Deposit
Account
Number

19-0733

Deposit
Account
Name

Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1001	2001	395	Utility filing fee
1002	2002	175	Design filing fee
1003	2003	275	Plant filing fee
1004	2004	395	Reissue filing fee
1005	2005	80	Provisional filing fee
SUBTOTAL (1)		(\$ 0	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
		-20 **	= 0	X 18 = 0
		-3 **	= 0	X 88 = 0
Multiple Dependent	0		X 290	= 0

Large Entity	Small Entity	Fee Description
Fee Code	Fee Code	(\\$)
1202	2202	9
1201	2201	44
1203	2203	150
1204	2204	44
1205	2205	9
SUBTOTAL (2)		(\$ 0

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\\$)	(\\$)
1051	2051	65	Surcharge - late filing fee or oath
1052	2052	25	Surcharge - late provisional filing fee or cover sheet.
1053	1053	130	Non-English specification
1812	1812	2,520	For filing a request for reexamination
1804	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840*	Requesting publication of SIR after Examiner action
1251	2251	55	Extension for reply within first month
1252	2252	215	Extension for reply within second month
1253	2253	490	Extension for reply within third month
1254	2254	765	Extension for reply within fourth month
1255	2255	1,040	Extension for reply within fifth month
1401	2401	170	Notice of Appeal
1402	2402	170	Filing a brief in support of an appeal
1403	2403	150	Request for oral hearing
1451	1451	1,510	Petition to institute a public use proceeding
1452	2452	55	Petition to revive – unavoidable
1453	2453	685	Petition to revive – unintentional
1501	2501	685	Utility issue fee (or reissue)
1502	2502	245	Design issue fee
1503	2503	330	Plant issue fee
1460	1460	130	Petitions to the Director
1807	1807	50	Processing fee under 37 CFR 1.17 (q)
1806	1806	180	Submission of Information Disclosure Statement
8021	8021	40	Recording each patent assignment per property (times number of properties)
1809	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	395	Request for Continued Examination (RCE)
1802	1802	900	Request for expedited examination of a design application
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 170

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY					
Name (Print/Type)	Christopher R. Glembotz	Registration No. (Attorney/Agent)	38,800	Telephone	202-824-3000
Signature	<i>Christopher R. Glembotz</i>			Date	November 23, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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